

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Nancy Anne Federspiet *et al.*

CERTIFICATE OF MAILING

Application No.: 10/697,787

Filed: October 29, 2003

Confirmation No.: 1171

For: GENERATION OF PLANTS WITH
IMPROVED PATHOGEN RESISTANCE
AND DROUGHT TOLERANCE

Examiner: Medina Ahmed Ibrahim

Art Unit: 1638

Attorney Reference No.: 6616-72707-02

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney or Agent
for Applicant(s)

Debra C. Anderson

Date Mailed January 19, 2006

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

TRANSMITTAL LETTER

In connection with the above-referenced application, enclosed are:

- ☒ A Supplemental Response to Restriction Requirement; and
☒ A self-addressed, stamped return postcard.

CLAIMS AS AMENDED

For	No. after amendment	No. paid for previously	Present Extra	Rate	Fee
Total Claims	10	- 20*	= 0	\$50.00	\$ 0.00
Indep. Claims	3	- 3**	= 0	\$200.00	\$ 0.00
Mult. Dep. Claims Fee (if not previously paid)				\$360.00	
One-month Extension of Time				\$120.00	
Two-month Extension of Time				\$450.00	
Three-month Extension of Time				\$1,020.00	\$ 0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$ 0.00

* greater of twenty or number for which fee has been paid.

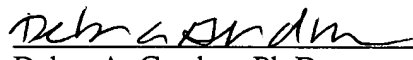
** greater of three or number for which fee has been paid.

Please charge any fees that may be required in connection with this submission (including any additional extensions of time or excess claim/page fees), or credit any overpayment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.

Please return the enclosed postcard to confirm that the items listed above have been received.

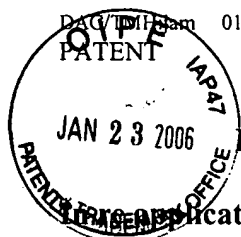
Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By 
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Name: Debra L. Darden

Date Mailed January 19, 2006

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SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENT

This Supplemental Response to Restriction Requirement replies to the Office action, dated December 19, 2005 ("Office Action"). A one-month period for reply was set in the Office Action, which makes a response due on or before January 19, 2006. It is believed that no fees are required in connection with this filing; however, the Commissioner is authorized to charge any fees that may be required to the deposit account referenced on the accompanying transmittal letter.

REMARKS

The Office Action contends that the response "filed on 09/19/05 in reply to the restriction requirement of 07/28/05 is non-responsive because Applicant has not elected one protein sequence." Applicant is requisitioned to "elect one nucleic acid sequence to be examined with the elected Group I."

Applicants thank the Examiner for finding the response filed on September 19, 2005 to be a "bona fide attempt to reply" and for providing additional time for response. Applicants